

PROB 12C
(7/93)

Report Date: October 13, 2011

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

OCT 13 2011

JAMES R. LARSEN, CLERK
DEPUTY
FOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Adam Lloyd Charlton

Case Number: 2:08CR02145-001

Address of Offender:

Yakima, WA 98902

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 8/6/2007

Original Offense: Bringing in Aliens Without Presentation and Aiding and Abetting, 8 U.S.C. § 1324(a)(2)(B)(iii) and 18 U.S.C. § 2

Original Sentence: Prison - 15 Months;
TSR - 24 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 7/13/2010

Defense Attorney: Federal Defender's Office

Date Supervision Expires: 7/12/2012

PETITIONING THE COURT**To issue a warrant.**

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

- 1 **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: On September 26, 2011, Adam Charlton failed to report to the U.S. probation office as directed.

On September 14, 2011, Mr. Charlton was directed to report for an office visit on September 26, 2011, so he could provide the undersigned officer with a copy of his community service hours log. On September 26, 2011, the defendant failed to report as directed. It should be noted that the defendant called later that day and left a message stating he had lost track of time and would contact this officer the following day. However, on September 27, 2011, Mr. Charlton failed to report or contact this officer.

- 2 **Mandatory Condition #4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

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Supporting Evidence: On September 28, 2011, Adam Charlton reported to the U.S. Probation Office and submitted a urine sample which tested presumptive positive for methamphetamine and appeared to be diluted. Test results were confirmed by Alere Toxicology Services on October 5, 2011.

When questioned with regard to any drug use, the defendant denied using any illegal substances.

3 **Mandatory Condition #3:** The defendant shall not illegally possess a controlled substance.

Supporting Evidence: On September 28, 2011, Adam Charlton reported to the U.S. Probation Office and submitted a urine sample which tested presumptive positive for methamphetamine.

4 **Special Condition #17:** You shall complete 120 hours of community service work, at the rate of not less than 40 hours per month at a not-for-profit site approved in advance by the supervising probation officer. The hours are to be completed in full no later than December 1, 2011.

Supporting Evidence: Adam Charlton failed to complete 40 hours of community service during the month of September 2011.

On August 29, 2011, Adam Charlton reported to the U.S. Probation Office and was directed to contact personnel at the Habitat for Humanity ReStore so he could begin his community service hours on September 1, 2011. The defendant was reminded that he would need to complete 40 hours of community service by September 30, 2011.

On September 6, 2011, Mr. Charlton reported for an office visit and reported he had not completed any hours to date but said he would have them done by the end of the month.

On September 14, 2011, contact was made with the defendant during a home visit at which time he reported he had completed 12 hours of community service. He was once again reminded he needed to complete 40 hours by the end of the month.

On September 28, 2011, contact with personnel from the Habitat for Humanity ReStore revealed the defendant had only completed 8 hours to date. They stated he reported on September 7, and 27, 2011, and completed 4 hours on each day. Later that day contact was made with the defendant with regard to his community service hours. Mr. Charlton initially reported completing 19 to 20 hours but after he was informed that this officer had spoken with personnel from the Habitat for Humanity ReStore, he admitted that they were correct and said he did not know why he had lied to this officer about his hours. Mr. Charlton then related he would try to complete the remaining balance of his hours by the end of the month but he failed to complete any additional hours.

It should be noted that to date, he has only managed to complete 1 hour of community service during the month of October 2011.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

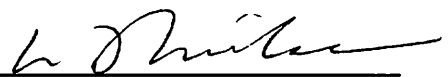
Executed on: October 13, 2011

s/Jose Vargas

Jose Vargas
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

10/13/11

Date